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DIVISION OF PROFESSIONAL REGULATION

ADVANCED PRACTICE COMMITTEE Minutes (Approved February 23, 2015)

The Advanced Practice Committee held a meeting on November 24, 2014 at 6:00 p.m., in Conference Room A, Cannon Building, 861 Silver Lake Boulevard, Dover, DE.

PRESENT: Megan Williams, Jean Gallagher, Ron Castaldo, Sandy Elliott, Delphos Price, Leslie Verucci, Allen Prettyman (telephone), Cindy Cunningham, Cindy Drew, JoAnn Baker

ABSENT: Robert McKennett, Candace Sandal

GUESTS: Julie Chiguoine, Margaret Mack, Sarah J. Carmody, Rebecca Walker

PRESIDING: Megan Williams

STAFF: Pamela Zickafoose, Executive Director, Delaware Board of Nursing
Jennifer Singh, Deputy Attorney General for the Delaware Board of Nursing

CALL TO ORDER: Dr. Williams called the meeting to order at 6:10 p.m.

REVIEW OF MINUTES: Minutes from October 27, 2014 were reviewed. Ms. Verucci made a motion to accept the minutes as corrected, seconded by Ms. Elliott. By majority vote, the motion carried with Ms. Drew abstaining.

NEW BUSINESS:

Meeting with Legislators Post Elections

Mr. Castaldo stated he had not met with any legislators yet but he did attend a congratulatory re-election reception for Senator Hall-Long in Bear, DE. He also invited Ms. Rebecca Walker to the meeting speak about the Consensus Model bill and he introduced her to the group. Ms. Walker stated she had read through the bill and she had a couple of questions. Members discussed her questions and concluded that nurses need to regulate nurses and Ms. Walker agreed. She reviewed the process of how legislation moves from introduction of a bill to passage of a bill. She provided examples of successful and unsuccessful legislation. Members discussed the various aspects of the bill and the process that had been used to educate legislators, stakeholders, and others. Ms. Walker stressed the importance of working collaboratively with various organizations and the need to educate the newly elected officials. Members also discussed who should be sponsors for the bill and other related strategies. Ms. Verucci stated

the lay midwives bill will be re-introduced this session as well. Members thanked Ms. Walker for her input and insight into the bill.

Board of Nursing Update

Dr. Williams informed the committee members that there was a discussion at the November Board of Nursing meeting regarding lobbying. Nursing specialty organizations across the state can hire a lobbyist but the Board of Nursing is a state agency and this is not allowed. Therefore, this committee cannot discuss lobbying. A lobbyist can attend these meetings and provide updates during public comment. Mr. Castaldo questioned if DANA hired a lobbyist could this person provide updates. Ms. Singh reinforced Dr. Williams comments about lobbyists and confirmed they could attend these meetings and provide updates during public comment. Ms. Singh added that a lobbyist could not convey to the General Assembly that they represent this Board of Nursing. She offered members to contact her directly if there were further question. Ms. Elliott questioned about funds to pay a lobbyist and Ms. Singh stated that was not something this committee could address. In future meetings in Newark, the room will be arranged to allow for public seating. Dr. Prettyman agreed to set the room up accordingly. Dr. Williams informed the committee members that a letter was sent to Mr. Mangler of the intent to move forward with the Consensus Model legislation with DPR at the helm.

Meeting with Dr. Borer

Dr. Williams informed the committee members that Dr. Borer reached out to Dr. Prettyman regarding concerns of APNs practicing outside their scope of practice. Dr. Prettyman, Dr. Diefenbach, Dr. Williams, Dr. Borer and Dr. Zickafoose met on November 6th to discuss these concerns. All agreed the concerns were valid and plans are to communicate with various physicians and advanced practice nurses. The interested parties received a letter explaining the situation from Dr. Borer and they are to provide feedback. Ms. Cunningham stated she has concerns in psychiatric/mental health because FNPs are setting up practice in psychiatric settings. Dr. Zickafoose stated she spoke with a FNP recently who was hired at Connections and the FNP was hired to do physical exams and to address medical conditions. Ms. Gallagher commented as a Pediatric NP she has prescribed anti-depressants, stating if primary care providers don't prescribe there are not enough psychiatric providers to handle all the needs. Ms. Drew questioned if the Board of Medical Licensure and Discipline had any rules that specifically regulated practice and members replied there were none. Mr. Price commented this is a gray area and provided an example that some providers can take a two-day weekend course and become certified to practice pain management so there is also an issue with certification courses. He also stated in DE a physician is allowed to practice and do anything they want. Ms. Verucci added that at the PDAC committee an addictionologist was added and there was a need for 50 more psychologists in the state. One recommended solution is for insurance companies to require appropriate certification for reimbursement. Ms. Baker shared a draft policy from the CSAC for review including language for consultation and referral. Ms. Cunningham stated she is experiencing dumping of patients from other practices where the patients' medication doses are maxed out. She tries to wean the medications. However, the patients can become irate and then the state contacts her regarding the amount of medications prescribed. In conclusion, the meetings with Dr. Borer should address some of these issues.

APN Licensee Applicant Reviews

Ernestine Davis- Ms. Davis graduated in 2004 from Neumann College with a degree as a gerontological NP but has not practiced in this role. Therefore she does not meet the practice requirements for licensure as noted by Ms. Singh in Section 8.11.3 of the rules. Dr. Zickafoose spoke with her and she is willing to do 600 hours of supervised practice. Ms. Gallagher made a motion to allow her to do a supervised practice plan for 600 hours with a temporary permit,

seconded by Ms. Drew. By unanimous vote the motion carried. Dr. Williams will report this recommendation to the Board in January.

Andrea Ferretti- Ms. Ferretti graduated in May 2014 from Wesley College with a Masters of Science in Nursing and no specific role or population noted. She applied for a Community Health CNS license and her ANCC certification is in Adult/Gerontology CNS. Therefore her application, transcript and certification are not congruent. Members questioned how this could have happened, especially how she was allowed to sit for the Adult/Geri CNS certification exam. Dr. Zickafoose explained that a letter was sent to ANCC detailing the clinical hours with a focus in adult/gerontology experiences. Mr. Castaldo stated the transcript implied a generic curriculum. Ms. Verucci stated we should compare the transcript with other schools' curricula to see if they have specific courses related to the geriatric population. Ms. Gallagher asked if the transcript could be changed and Ms. Baker commented that she would have compromised her program if she had changed a transcript. Mr. Price made a motion this should be referred back to Ms. Ferretti and Wesley College to work it out until all three items were congruent, seconded by Ms. Gallagher. Ms. Singh cited rules 8.9.1.1 and 8.9.1.2 regarding the requirements for congruency between role/population with licensure and education. Dr. Zickafoose asked for clarification on the motion that if the office received the transcript and the application for an adult/geriatric CNS license this would be acceptable for licensure and members agreed this was correct. By unanimous vote, the motion carried.

UNFINISHED BUSINESS:

Consensus Model Education- MSD Taskforce Meeting

Mr. Price informed the members he was no longer working with Dr. Fan so he needed to contact her. Members discussed whether there was a need to meet with the MSD. Mr. Price will attempt to contact Dr. Fan.

Legislative Outreach- Stakeholder Contact Meetings

Ms. Verucci stated she provided an update to the DE Coalition of NPs and they are very interested in the progress to date. She also plans to contact the ONS APN group. Ms. Elliott had not update. Ms. Baker stated she contacted Dr. Rattay for a meeting but she is very busy with Ebola so the meeting might be delayed. Ms. Verucci questioned if Secretary Landgraf could also be included and Ms. Baker will make the inquiry. Dr. Williams suggested trying to schedule a meeting after the DHCC meeting at DTCC because both Dr. Ratty and Secretary Landgraf attend.

Statute and Regulations- Section 8 Regulations

Tabled until next meeting.

OTHER BUSINESS (for discussion only): None

PUBLIC COMMENT: Members of the public introduced themselves. Ms. Chignoine stated she was a FNP at the DelCastle HS Wellness Center and she works at CCHS. She felt the conversation regarding scope of practice was interesting. Ms. Mack stated she has a PhD in Urban Affairs and Public Policy and she offered to provide legislative assistance if needed. She is also a psychiatric nurse who is board certified. Ms. Carmody asked about another bill to run after the Consensus Model bill related to death certificates. Dr. Williams stated that would probably be the global signature authority bill that other states have been successful in passing. Ms. Carmody also stated she saw Rep. Kowalkos aide and provided the NCSBN website for additional education on the Consensus Model. Ms. Carmody also recommended contacting M. Kloppenstein for the League of Women Votes support

of the bill.

NEXT MEETING – December 29, 2014 at 6pm in Dover.

Meeting dates for 2015 were reviewed and accepted. Members agreed Monday nights worked best for the majority. Mr. Price made a motion to accept the recommended dates, seconded by Ms. Gallagher. By unanimous vote the motion carried.

ADJOURNMENT – The meeting was adjourned at 8:15 p.m.

Respectfully Submitted,

A handwritten signature in black ink that reads "Pamela C. Zickafoose". The signature is written in a cursive, flowing style.

Pamela C. Zickafoose, EdD, MSN, RN, NE-BC, CNE
Executive Director, Delaware Board of Nursing